

**RCW Law Firm, LP**

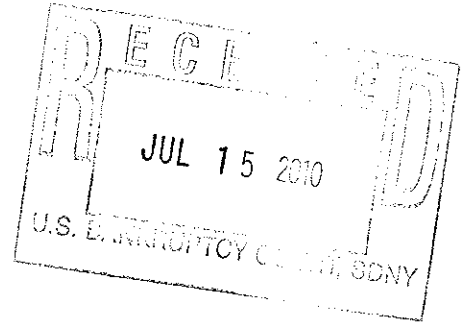
10975 Benson Drive, Suite 570, Overland Park, Kansas 66210  
Phone 913.906.9800 Facsimile 913.906.9840  
[www.rcwlawfirm.com](http://www.rcwlawfirm.com)

---

July 14, 2010

U.S. Bankruptcy Court  
Southern District of New York  
Attn: Court Clerk  
One Bowling Green  
New York, NY 10004

Re: In re DPG Holdings Corp., et al.  
Case No. 05-44481 (RDD)



Dear Sir or Madam:

Please find enclosed an original plus one copy of FKMT, LLC f/k/a Monarch Transport, LLC's Response to Reorganized Debtors' Motion for an Order to Enforce Modified Plan and Modification Approval Order Injunction Against FKMT, LLC f/k/a Monarch Transport, LLC to be filed pro se by me as the representative of FKMT, LLC. Please return the file-stamped copy in the envelope provided.

Thank you for your assistance with this matter. Please contact me at 913-906-9810 should you have any questions.

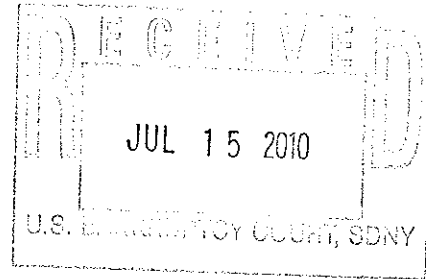
Regards,

Troy Renkemeyer

Enclosures

TROY RENKEMEYER  
10975 Benson Drive, Suite 570  
Overland Park, KS 66210

Pro Se Representative for  
FKMT, LLC f/k/a Monarch Transport, LLC  
Creditor



UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
	:	
In re	:	Chapter 11
	:	
DPH HOLDINGS CORP., <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
	:	(Jointly Administered)
Reorganized Debtors.	:	
-----X		

**FKMT, LLC f/k/a MONARCH TRANSPORT, LLC'S RESPONSE  
TO REORGANIZED DEBTORS' MOTION FOR AN ORDER TO ENFORCE  
MODIFIED PLAN AND MODIFICATION APPROVAL ORDER  
INJUNCTION AGAINST FKMT, LLC f/k/a MONARCH TRANSPORT, LLC**

**COMES NOW** FKMT, LLC f/k/a Monarch Transport, LLC, Creditor, Pro Se ("FKMT"), by its authorized representative Troy Renkemeyer, in response to Reorganized Debtors' Motion for an Order to Enforce Modified Plan and Modification Approval Order Injunction Against FKMT, LLC f/k/a Monarch Transport, LLC ("Delphi's Motion to Enforce"). In support of its position, FKMT states as follows:

**Background of FKMT, LLC**

1. FKMT, LLC provided shipping services to Reorganized Debtors ("Delphi") from approximately 2004 through September 30, 2007. It was formerly named Monarch Transport, LLC and maintained its offices at 1616 Argentine Blvd., Kansas City, KS 66105. It sold substantially all of its operating assets, excluding accounts receivable, to an entity

named Osage Holdings, LLC on September 30, 2007. Within days of the sale, FKMT changed its name from Monarch Transport, LLC to FKMT, LLC and Osage Holdings, LLC changed its name to Monarch Transport, LLC ("New Monarch"). This was done so New Monarch could maintain the goodwill associated with the name.

2. Upon the closing of the sale by FKMT to New Monarch, FKMT moved out of the space at 1616 Argentine Blvd and formerly changed its office address to 7500 College Blvd. Suite 900, Overland Park, KS 66210. New Monarch simultaneously moved into the space at 1616 Argentine Blvd.

3. After extensive correspondence between Delphi and FKMT regarding the payment of past due invoices, FKMT filed a lawsuit against Delphi in December, 2008 in the Jackson County District Court. Due to a claim made by New Monarch to the proceeds from these invoices, Delphi filed its Answer, Counterclaim, and Third Party Petition for Interpleader with such Court on April 18, 2009 ("Interpleader"). See **Exhibit A** attached hereto.

Delphi Failed to Provide FKMT Any of the Required Notices Related to Bankruptcy

4. FKMT and Delphi had a great deal of correspondence in years 2008 and 2009 related to the repayment of past due invoices attributable to loads shipped by FKMT prior to the September 30, 2007 sale date.

5. The circumstances of the sale, change of names of FKMT and New Monarch, and the dispute between FKMT and New Monarch over who was entitled to the payments from Delphi were made clear to Delphi by both FKMT and New Monarch during extensive correspondence and court filings during 2008 and 2009. The primary issue in this

correspondence related directly with the point that a different entity was now named Monarch Transport, LLC and occupied the space at 1616 Argentine Blvd than FKMT. The correspondence was with the (a) internal accounts payable departments of Delphi, (b) internal counsel for Delphi, and (c) external counsel of Delphi.

6. Delphi based its Interpleader on its actual knowledge of the dispute that arose between FKMT and New Monarch, of which no party contested the fact that the names were changed and FKMT moved out of the space and New Monarch moved into the space. The issue was whether Delphi sent payments to the correct party for certain loads given the address and name change. The facts of the name change and address change were sufficiently clear to Delphi to cause it to file the Interpleader.

7. On February 27, 2009 FKMT filed with the division of Delphi that manages contact information for its vendors a formal change of address notifying it that the FKMT has an address of 7500 College Blvd., Suite 900, Overland Park KS 66210. See **Exhibit B** attached hereto. Further see extensive email chain between FKMT and this contacts management division of Delphi confirming that the name and address has changed. See **Exhibit C** attached hereto.

8. Delphi had actual knowledge that (a) FKMT changed its name in September 30, 2007 from Monarch Transport, LLC to FKMT, LLC, (b) New Monarch changed its name from Osage Holdings, LLC to Monarch Transport, LLC, and (c) FKMT no longer maintained its business at the 1616 Argentine Blvd. address, but rather New Monarch operated at such address.

9. The ORDER (A)(I) APPROVING MODIFICATIONS TO DEBTORS' FIRST AMENDED PLAN OF REORGANIZATION (AS MODIFIED) AND RELATED

DISCLOSURES AND VOTING PROCEDURES AND (II) SETTING FINAL HEARING DATE TO CONSIDER MODIFCATIONS TO CONFIRMED FIRST AMENDED PLAN OF REORGANIZATION AND (B) SETTING ADMINISTRATIVE EXPENSE CLAIMS BAR DATE AND ALTERNATIVE TRNSACTION HEARING DATE issued by this Court of June 16, 2009 (the "Order") required certain notices to be sent by Delphi to the creditors whose claims it desired to be barred and enjoined.

10. Delphi failed to send any of such notices to FKMT. The only notice related in any way to the bankruptcy proceeding involving Delphi sent to FKMT were the notices to sent on or before April 12, 2006 of the Notice of Bar Date For Filing Proofs of Claim, notifying FKMT of the initial filing by Delphi for bankruptcy in this Court. At that time, because the claims of FKMT involved shipping services and because FKMT agreed to continue to provide shipping services after such date, it entered into an agreement for the payment of 90% of FKMT's Pre-Petition invoices.

11. As admitted by Delphi in Delphi Motion to Enforce filed with this Court, it sent the Notice of Bar Dates for Filing Proofs Of Administrative Expense, and the Notice of Final Administrative Expense Bar Date to:

Monarch Transport, LLC  
1616 Argentine Blvd.  
Kansas City, KS 66105

12. Further, all other Notices involving the bankruptcy proceedings were sent to this address. As such, because (a) Delphi had actual notice of FKMT's name and address change, (b) FKMT did everything in its power to make sure Delphi had the correct contact

information for it, and (c) FKMT had no knowledge of any bankruptcy proceeding affecting its claims against Delphi, FKMT should not be deemed to have received the required notices.

13. The filing by Delphi of the Notice of Bar Dates for Filing Proofs of Administrative Expense and Notice of Final Administrative Expense Bar Date in the required newspapers should not be considered adequate disclosure of such items because none of the prior required actual notices putting creditors on notice of the bankruptcy proceedings were made to FKMT. As such, FKMT was not in a reasonable position to seek information in such newspapers related to the bankruptcy proceedings. As such, it should not be deemed to have received constructive notice of these dates and bankruptcy activities.

14. The failure to provide to FKMT actual notice of the bankruptcy proceedings at anytime, nor any of the notices ordered by this Court prior to the Notice of Final Administrative Bar Date, such as the Final Plan Modification Approval Hearing Notice, and all other required notices described in Paragraph 6 of the Order, should bar the injunction sought by Delphi.

Delphi Waived the Injunctive Relief it Seeks

15. In its Interpleader, Delphi admitted it owed approximately half of the invoices claimed by FKMT as outstanding, and claimed relief from the dispute between FKMT and New Monarch.

16. Delphi has failed to actually pay the funds into the District Court as required by its Interpleader. Had such funds been placed with the Court as required, said funds would not be subject to the issues presented to the Court in these proceedings.

17. The filing of the Interpleader was a judicial admission of the debt and statement of its intent to pay the debt by paying funds to the District Court. This statement of

intent to pay the debt occurred nearly at the end of the bankruptcy proceedings. As such, the statement should be considered a waiver of the injunctive relief it seeks in Delphi's Motion to Enforce.

18. Delphi has consistently represented to FKMT orally and in writing, both before and after the Final Administrative Expense Bar Date of July 15, 2009, that it intended to pay the invoices that it interplead. *See* email attached hereto as **Exhibit D** as one example of such representations. These representations constitute a waiver of any rights it may have to rely upon the Modification Approval Order and bankruptcy proceedings to dismiss its obligations sought to be enforced by FKMT.

19. In the alternative, if the misrepresentations made by Delphi of its intent to pay the invoices before and after the Final Administrative Expense Bar Date do not constitute a waiver, then such misrepresentations made by Delphi to FKMT, and relied upon by FKMT, should constitute either gross negligent acts or intentional acts which bar Delphi from the injunctive relief it seeks.

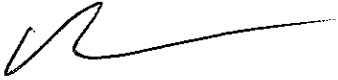
Shipping and Freight Services Not an Administrative Expense

20. FKMT's claim against Delphi is for unpaid invoices arising from shipping services provided by FKMT on behalf of Delphi, services which clearly do not fall under any provision of 11 U.S.C. 503(b), and therefore FKMT was not required to file an Administrative Expenses Claim Form in order to preserve its claim asserted in this litigation.

**WHEREFORE**, FKMT respectfully requests this Court to deny the injunctive relief against it requested by Delphi.

Respectfully submitted,

FKMT, LLC  
f/k/a Monarch Transport, LLC  
Pro Se

By:   
\_\_\_\_\_  
Troy Renkemeyer  
10975 Benson Drive, Suite 570  
Overland Park, KS 66210  
Phone: 913-906-9850  
Fax: 913-906-9840  
trenkemeyer@rcwlawfirm.com



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was forwarded this 14 day of July, 2010, by depositing the same in the U.S. mail, postage prepaid and addressed to the following:


John Wm. Butler, Jr.  
John K. Lyons  
Ron E. Meisler  
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
155 North Wacker Drive  
Chicago, IL 60606

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
Four Times Square  
New York, NY 10036

Attorneys for DPH Holdings Corp., et al., Reorganized Debtors

Maureen A. McGlynn  
KORTENHOF McGLYNN LLC  
1015 Locust Street, Suite 710  
St. Louis, MO 63101  
Attorneys for Delphi Corporation

Thomas M. Franklin  
THE FRANKLIN LAW FIRM  
300 UMB Bank Building  
1310 Carondelet Drive  
Kansas City, MO 64114  
Attorneys for Monarch Transport, LLC  
f/k/a Osage Holdings, LLC

  
\_\_\_\_\_  
Troy Renkemeyer

**IN THE CIRCUIT COURT  
OF JACKSON COUNTY, MISSOURI  
CIVIL DIVISION**

FKMT, LLC	)	
f/k/a MONARCH TRANSPORT, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
DELPHI CORPORATION,	)	
	)	
Defendant, Counterclaimant,	)	Case No. 0816-CV39025
And Third-Party Plaintiff,	)	
	)	
v.	)	Division 6
	)	Chapter 60
	)	
FKMT, LLC,	)	
	)	
Plaintiff and Counter-defendant,	)	
	)	
and	)	
	)	
MONARCH TRANSPORT LLC,	)	
f/k/a OSAGE HOLDINGS, LLC,	)	
	)	
Third-Party Defendant.	)	

Serve At: 1616 Argentine Blvd  
Kansas City, KS 66105

**ANSWER, COUNTERCLAIM AND  
THIRD PARTY PETITION IN INTERPLEADER**

COMES NOW defendant / counterclaimant / third-party plaintiff Delphi Corporation ("Delphi"), by and through its attorneys McGlynn & Luther and Maureen A. McGlynn, and for its Answer to the Petition filed against it by FKMT, LLC f/k/a/ Monarch Transport, LLC, and its counterclaim against FKMT, LLC and Third-Party Petition against Monarch Transport LLC, f/k/a Osage Holdings, LLC, states as follows:

**ANSWER**

1. Delphi is without sufficient information to form a belief as to the truth of veracity of the averments contained in Paragraph 1 and therefore denies the same and demands strict proof thereof.

2. Delphi admits the averments contained in Paragraph 2.

3. Delphi concedes to jurisdiction and venue in Jackson County, Missouri, but otherwise denies each and every averment contained in Paragraph 3.

4. Delphi denies each and every averment contained in Paragraph 4.

5. Delphi denies each and every averment contained in Paragraph 5. As further response, Delphi states that it owes a disputed amount of money to either FKMT, LLC, f/k/a Monarch Transport, LLC or to Monarch Transport LLC, f/k/a Osage Holdings, LLC, as set forth more fully below.

6. Delphi denies each and every averment contained in Paragraph 6.

7. Delphi denies each and every averment contained in Paragraph 7.

8. Delphi denies each and every averment contained in Paragraph 8.

9. Delphi is without sufficient information to form a belief as to the truth or veracity of the averments contained in Paragraph 9 and therefore denies the same and demands strict proof thereof.

WHEREFORE Delphi Corporation prays that FKMT LLC's Petition be dismissed with prejudice, for its costs incurred herein, and for such other and further relief as this Court deems just and proper.

**ANSWER TO FIRST CAUSE OF ACTION**

10. Delphi repeats and realleges its answers to Paragraphs 1 through 6 of Plaintiff's Petition as its answer to Paragraph 10 therein, as if more fully set forth herein.

11. Delphi denies each and every averment contained in Paragraph 11.

12. Delphi denies each and every averment contained in Paragraph 12.

13. Delphi denies each and every averment contained in Paragraph 13.

WHEREFORE Delphi Corporation prays that FKMT LLC's Petition be dismissed with prejudice, for its costs incurred herein, and for such other and further relief as this Court deems just and proper.

**ANSWER TO SECOND CAUSE OF ACTION**

14. Delphi repeats and realleges its answers to Paragraphs 1 through 10 of Plaintiff's Petition as its answer to Paragraph 14 therein, as if more fully set forth herein.

15. Delphi denies each and every averment contained in Paragraph 15.

16. Delphi denies each and every averment contained in Paragraph 16.

17. Delphi denies each and every averment contained in Paragraph 17.

18. Delphi denies each and every averment contained in Paragraph 18.

19. Delphi denies each and every averment contained in Paragraph 19.

WHEREFORE Delphi Corporation prays that FKMT LLC's Petition be dismissed with prejudice, for its costs incurred herein, and for such other and further relief as this Court deems just and proper.

**COUNTERCLAIM AND THIRD-PARTY PETITION IN INTERPLEADER**

For defendant / counterclaimant / third-party plaintiff Delphi Corporation's Counterclaim and Third-Party Petition in Interpleader against Plaintiff FKMT LLC, f/k/a

Monarch Transport LLC ("Old Monarch") and Third-Party Defendant Monarch Transport LLC, f/k/a Osage Holdings ("New Monarch"), alleges and states as follows:

20. At various times Delphi has contracted with a company known to it as Monarch Transport, to provide trucking services.

21. Upon information and belief, Delphi understands that Monarch Transport was sold effective September 30, 2007.

22. In or about January 2009, Old Monarch brought suit against Delphi, demanding payment for certain transportation related invoices.

23. Delphi admits that some of Monarch Transport's past invoices remain unpaid and stands willing to pay the outstanding balance due, as shown by review of Delphi's books and records.

24. Third-party Defendant Monarch Transport LLC, f/k/a Osage Holdings ("New Monarch") has notified Delphi that the payments due and owing for truck transportation services are actually payable to New Monarch and not Old Monarch.

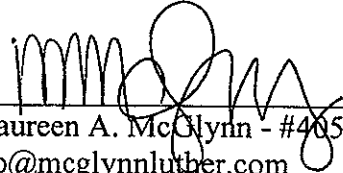
25. As a result of Old Monarch's and New Monarch's conflicting claims, Delphi may be exposed to multiple and conflicting liabilities. Delphi accordingly stands ready to deliver to the Court for disposition those funds that Delphi's books and records confirm as due and owing.

WHEREFORE, Defendant / Counterclaimant / Third-Party Plaintiff Delphi Corporation prays for entry of judgment as follows:

1. That Plaintiff and Third-Party Defendant be ordered to appear and interplead their conflicting claims in this action and that Delphi Corporation be discharged from all liability herein;

2. That Delphi Corporation recover the costs of the is action incurred herein,  
including reasonable attorneys' fees; and
3. For such other and further relief as this Court deems just and proper.

**McGLYNN & LUTHER**

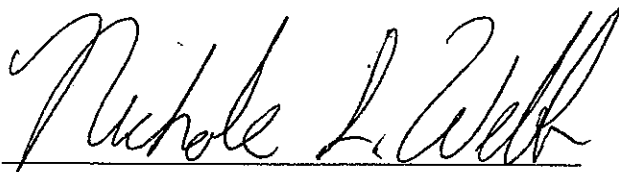
  
Maureen A. McGlynn - #40552  
[mo@mcglynnluther.com](mailto:mo@mcglynnluther.com)  
500 North Broadway, Suite 1515  
St. Louis, Missouri 63102  
PH: (314) 727-1000  
Fax: (314) 727-2960  
**Attorneys for Defendant/  
Counterclaimant/Third Party Plaintiff  
Delphi Corporation**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of Delphi Corporation's Answer,  
Counterclaim and Third Party Petition in Interpleader was mailed, postage prepaid, on  
this 16<sup>th</sup> day of April, 2009, to:

**Attorney for Plaintiff**

Troy Renkemeyer  
Renkemeyer Campbell, LP  
7500 College Blvd., Suite 900  
Overland Park, KS 66210



**Troy Renkemeyer**

---

**From:** Troy Renkemeyer  
**Sent:** Friday, February 27, 2009 9:00 AM  
**To:** juarez.DelphiA.EFTContacts@Delphi.com  
**Subject:** FW:  
**Attachments:** 20090227075307493.pdf

Please find attached an EFT Payment Authorization for FKMT, LLC. Please call me with any concerns at 913-906-9810.

Troy D. Renkemeyer, CPA, LLM  
Partner  
Renkemeyer Campbell, LP  
THE TAX LAWYERS  
7500 College, Suite 900  
Overland Park, Kansas 66210  
[www.rcwlawfirm.com](http://www.rcwlawfirm.com)

Email: [trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)  
Direct Dial: 913.906.9810  
Facsimile: 913.906.9840

Privileged/Confidential Information may be contained in this message. If you are not the intended recipient indicated in this message (or responsible for delivery of this message to the intended recipient), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender of your errant receipt by reply e-mail. Please advise immediately if you or your employer do not consent to Internet e-mail messages of this kind. Any information contained in this message that does not relate to the official business of Renkemeyer Campbell LP. shall be understood as neither given nor endorsed by it.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

-----Original Message-----

From: [ricohscanfax@rcwlawfirm.com](mailto:ricohscanfax@rcwlawfirm.com) [mailto:[ricohscanfax@rcwlawfirm.com](mailto:ricohscanfax@rcwlawfirm.com)]  
Sent: Friday, February 27, 2009 7:53 AM  
To: Troy Renkemeyer  
Subject:

This E-mail was sent from "RNPA9BBE4" (Aficio 3035).

Scan Date: 02.27.2009 07:53:07 (-0600)  
Queries to: [ricohscanfax@rcwlawfirm.com](mailto:ricohscanfax@rcwlawfirm.com)



Delphi Corporation  
EFT Payment Authorization

Please complete and return this Electronic Funds Transfer (EFT) Authorization Form. This form is necessary in order to make payments to your company for shipments or services provided to Delphi Automotive Systems, North American Operations. Please type or print clearly.

**Bank Verification:** In addition to filling out this form you must provide confirmation of your bank account and routing number with one of three options:

- 1) Have your bank provide a contact name, phone number, stamp and/or signature on appropriate lines below, or
- 2) Your bank must use their own stationery to confirm bank routing information and your company's bank account number, or
- 3) You must provide a copy of a voided check with your company's bank account and routing information.

For all currencies, the receiving bank must include the bank's SWIFT ID Number. Canadian banks must provide their routing/transit number, German and Spanish banks must provide their in-country bank ID numbers, and United Kingdom banks must provide the appropriate Sort Code.

The undersigned ("Payee") authorizes Delphi Automotive Systems and any of its subsidiaries and affiliates (collectively, "Delphi Automotive Systems") to make payment for goods and services covered by any purchase order or agreement, now or hereinafter in effect, through electronic fund transfer.

In connection with electronic fund transfers, the Payee agrees as follows:

- 1) Payee will use reasonable efforts to verify and ensure that the Depository Institution selected by Payee is able to receive electronic fund transfers from Delphi Automotive Systems' originating bank directly, or from a correspondent bank or through an automated clearing house or any other electronic payment network designated or approved by Delphi Automotive Systems from time to time.
- 2) Payee may, at least 30 days prior to the effective date of the next electronic fund payment by Delphi Automotive Systems, change any portion of the information provided in this document by submitting to Delphi Automotive Systems an amended payment authorization in a form acceptable to Delphi Automotive Systems. The Payee is responsible for any loss which may arise by reason of any error, mistake, or fraud regarding the information provided to Delphi Automotive Systems or the Payee's failure to follow the procedure set forth in this document.
- 3) The payment terms specified in the applicable purchase order or agreement, other than the MNS2 payment term, are modified by adding three calendar days to the time period for payment. For example, for the "net 30 days" payment term, the electronic funds transfer will occur on the 33rd day. If the payment date is a non-banking day, the electronic funds transfer will occur the following day on which both Delphi Automotive Systems' originating bank and Payee's Depository Institution are available to transmit and receive electronic funds transfers.
- 4) Electronic fund transfers will be deemed to have been made when the Payee's Depository Institution receives or has control of the payment. Any loss of payment following the point at which the Payee's Depository Institution receives or has control of the payment will be borne by the payee.
- 5) In the event of duplicate payment, overpayment, fraudulent payment or payment made in error, Payee will promptly cause the return of funds to Delphi Automotive Systems at its designated originating bank.
- 6) In the event that payment has not been received by Payee, Payee shall notify Delphi Automotive Systems immediately in writing and Delphi Automotive Systems will have a reasonable period in which to make the payment, and until the expiration of that period, Payee agrees that it will not have or pursue any rights or remedies against Delphi Automotive Systems for any failure to make payment including, without limitation, actual, incidental, or consequential damages.

Company Name

& Duns Number: EKMT, LLC c/o TROY Renkemyer

Contact Name: TROY Renkemyer

Remit Address: 7500 College Blvd, Suite 900

Telephone Number: 913-906-9810

Overland Park, KS 66210

Fax Number: 913-906-9840

E-mail Address: Trenkemyer@RCWLawFirm.com

**Banking Information**

Account Name: EKMT, LLC

Account Currency: US Dollars  
(List All Acceptable)

Account Number: 027010304

Bank Name: Commerce Bank

IBAN / Swift / Local Bank ID / Routing Number / UK Sort Cod: 101 000019

Bank Address: 13441 State Line Road

Bank Contact Name & Phone Number: June / Ali 816-234-2800

13441 STATE LINE RD.  
Kansas City MO 64145

Bank Signature/Verification Stamp: June

KANAS CITY, MO 64145

The Payee accepts the terms of this agreement executed on this

26 day of February, 2009

(Payee Authorized Signature)

(Printed Name & Title)

The requested documents may be mailed or emailed to

Attn: Vendor MasterDept/Disbursement Services Mail DLF IT Park Plot No 129-132 OPP APHB Colony, Gachibowli Hyd-19,INDIA

Juarez.DelphiA.EFTContacts@Delphi.co (if emailing do not send originals)



## Troy Renkemeyer

---

**From:** Srinivas, Vishwandham koti [vishwandham.koti.srinivas@delphi.com] on behalf of Delphi A EFT Contracts, Juarez [Juarez.DelphiA.EFTContracts@delphi.com]  
**Sent:** Monday, March 02, 2009 10:05 AM  
**To:** Troy Renkemeyer  
**Subject:** RE:

Hi Troy,

As you confirmed that this is not your correct bank account. So, we will change your banking details as A/c - 027010304, Commerce Bank which you requested in the EFT contract form.

Coming to your entity name you have to contact D&B and change your name as FKMT LLC. Once they change your name in their database we will update your name in the Duns# 155504520.

Thanks.....

Srinivas.Viswanadham.Koti  
Analyst - Vendor Master | F & A - North America | Delphi Global Business Services Email ID :  
vishwandham.koti.srinivas@delphi.com | Ph +1-888-509-7573 Extn -61503

-----Original Message-----

**From:** Troy Renkemeyer [mailto:trenkemeyer@rcwlawfirm.com]  
**Sent:** Monday, March 02, 2009 9:17 PM  
**To:** Delphi A EFT Contracts, Juarez  
**Subject:** RE:

NO.

This is the wrong account. That is a different entity with the account at UMB Bank National Association. They are also named Monarch Transport, LLC (we changed our name from Monarch Transport, LLC to FKMT, LLC). Do not modify that customer record at all.

Our account was previously at Peoples Bank, with account number 40008347. Our Taxpayer ID number is 20-0969025. There taxpayer ID is something else. I believe the last payment you made to this account was in approximately January, 2008. Please confirm that you found it.

Troy D. Renkemeyer, CPA, LLM  
Partner  
Renkemeyer Campbell, LP  
THE TAX LAWYERS  
7500 College, Suite 900  
Overland Park, Kansas 66210  
www.rcwlawfirm.com

Email: trenkemeyer@rcwlawfirm.com  
Direct Dial: 913.906.9810  
Facsimile: 913.906.9840

Privileged/Confidential Information may be contained in this message.  
If you are not the intended recipient indicated in this message (or responsible for delivery of this message to the intended recipient), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender of your errant receipt by reply e-mail. Please advise immediately if you or your employer do not consent to Internet e-mail messages of this kind. Any information contained in this message that does not relate to the official business of Renkemeyer Campbell LP. shall be understood as neither given nor endorsed by it.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

-----Original Message-----

From: Srinivas, Vishwandham koti  
[mailto:vishwandham.koti.srinivas@delphi.com] On Behalf Of Delphi A EFT Contracts, Juarez  
Sent: Monday, March 02, 2009 9:25 AM  
To: Troy Renkemeyer  
Subject: RE:  
Importance: High

Hi Troy,

One last confirmation. Please confirm that you want to change your old bank details ( A/c - 9871632148, UMB BANK, NATIONAL ASSOCIATION ) with e the new one ( A/c - 027010304, Commerce Bank ) which you are requesting in the EFT contract form.

Thanks.....

Srinivas.Viswanadham.Koti  
Analyst - Vendor Master | F & A - North America | Delphi Global Business Services Email ID : vishwandham.koti.srinivas@delphi.com | Ph +1-888-509-7573 Extn -61503

-----Original Message-----

From: Troy Renkemeyer [mailto:trenkemeyer@rcwlawfirm.com]  
Sent: Monday, March 02, 2009 11:47 AM  
To: Delphi A EFT Contracts, Juarez  
Subject: RE:

As I put in my email Friday, Monarch Transpoert, LLC was our old name. We did a name change. So yes- it is correct.

Troy Renkemeyer CPA, LLM

Renkemeyer Campbell and Weaver LLP  
THE TAX LAWYERS

900 Lighton Plaza Tower  
7500 College Blvd.  
Overland Park, KS 66210  
Direct - 913.906.9810  
Fax - 913.906.9850  
Email - [trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)

-----Original Message-----

From: "Delphi A EFT Contracts, Juarez"  
<[Juarez.DelphiA.EFTContacts@delphi.com](mailto:Juarez.DelphiA.EFTContacts@delphi.com)>  
To: "Troy Renkemeyer" <[trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)>  
Sent: 3/2/09 8:56 AM  
Subject: RE:

Hi Troy,

The Duns# 155504520 is pulling a name in our system as MONARCH TRANSPORT LLC. Whereas you mentioned your name in the EFT contract form as FKMT LLC. Is both are concerned company or not. Please confirm this. If its not in that case please confirm your correct Duns# with the name as FKMT LLC.

Thanks.....

Srinivas.Viswanadham.Koti  
Analyst - Vendor Master | F & A - North America | Delphi Global Business  
Services Email ID : [vishwandham.koti.srinivas@delphi.com](mailto:vishwandham.koti.srinivas@delphi.com) | Ph  
+1-888-509-7573 Extn -61503

-----Original Message-----

From: Troy Renkemeyer [<mailto:trenkemeyer@rcwlawfirm.com>]  
Sent: Saturday, February 28, 2009 3:44 AM  
To: Delphi A EFT Contracts, Juarez  
Cc: Frantangelo, Barbara K  
Subject: RE:

Mr. Juarez:

Our DUNS # is:

RD 155504520

Our name was Monarch Transport, LLC but our named changed to FKMT, LLC after we sold the business on 9/30/07. So don't let your system may throw you off when seeing our old name.

Troy D. Renkemeyer, CPA, LLM  
Partner  
Renkemeyer Campbell, LP  
THE TAX LAWYERS  
7500 College, Suite 900

Overland Park, Kansas 66210  
www.rcwlawfirm.com

Email: [trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)  
Direct Dial: 913.906.9810  
Facsimile: 913.906.9840

Privileged/Confidential Information may be contained in this message. If you are not the intended recipient indicated in this message (or responsible for delivery of this message to the intended recipient), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender of your errant receipt by reply e-mail. Please advise immediately if you or your employer do not consent to Internet e-mail messages of this kind. Any information contained in this message that does not relate to the official business of Renkemeyer Campbell LP. shall be understood as neither given nor endorsed by it.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

-----Original Message-----

From: Srinivas, Vishwandham koti  
[mailto:[vishwandham.koti.srinivas@delphi.com](mailto:vishwandham.koti.srinivas@delphi.com)] On Behalf Of Delphi A EFT  
Contracts, Juarez  
Sent: Friday, February 27, 2009 3:57 PM  
To: Troy Renkemeyer  
Subject: RE:

Hi,

Please provide me your Duns# as I am unable to find your details in our system.

Also please confirm your bank details.

A/c - 027010304

Routing - 101000019

Thanks.....

Srinivas.Viswanadham.Koti  
Analyst - Vendor Master | F & A - North America | Delphi Global Business  
Services Email ID : [vishwandham.koti.srinivas@delphi.com](mailto:vishwandham.koti.srinivas@delphi.com) | Ph  
+1-888-509-7573 Extn -61585

-----Original Message-----

From: Troy Renkemeyer [mailto:[trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)]  
Sent: Friday, February 27, 2009 8:30 PM

To: Delphi A EFT Contracts, Juarez  
Subject: FW:

Please find attached an EFT Payment Authorization for FKMT, LLC. Please call me with any concerns at 913-906-9810.

Troy D. Renkemeyer, CPA, LLM  
Partner  
Renkemeyer Campbell, LP  
THE TAX LAWYERS  
7500 College, Suite 900  
Overland Park, Kansas 66210  
www.rcwlawfirm.com

Email: [trenkemeyer@rcwlawfirm.com](mailto:trenkemeyer@rcwlawfirm.com)  
Direct Dial: 913.906.9810  
Facsimile: 913.906.9840

Privileged/Confidential Information may be contained in this message. If you are not the intended recipient indicated in this message (or responsible for delivery of this message to the intended recipient), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender of your errant receipt by reply e-mail. Please advise immediately if you or your employer do not consent to Internet e-mail messages of this kind. Any information contained in this message that does not relate to the official business of Renkemeyer Campbell LP. shall be understood as neither given nor endorsed by it.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

-----Original Message-----

From: [ricohscanfax@rcwlawfirm.com](mailto:ricohscanfax@rcwlawfirm.com) [<mailto:ricohscanfax@rcwlawfirm.com>]  
Sent: Friday, February 27, 2009 7:53 AM  
To: Troy Renkemeyer  
Subject:

This E-mail was sent from "RNPA9BBE4" (Aficio 3035).

Scan Date: 02.27.2009 07:53:07 (-0600)  
Queries to: [ricohscanfax@rcwlawfirm.com](mailto:ricohscanfax@rcwlawfirm.com)

**EXHIBIT D**

**Troy Renkemeyer**

---

**From:** Maureen A. McGlynn [mo@mcglynnlaw.com]  
**Sent:** Monday, November 09, 2009 12:43 PM  
**To:** Troy Renkemeyer  
**Subject:** Monarch v. Delphi et al

Troy,

My client needs the Bills of Lading and proof of delivery for the loads underlying the invoices you sent last week. Apparently that is the heart of the problem here: Delphi has no proof that these loads were ever actually delivered. Can you get this information?

Mo

**Maureen A. McGlynn**  
**McGlynn & McGlynn LLC**  
**500 North Broadway, Suite 1515**  
**Saint Louis, MO 63102**  
**(314) 727-1000**  
**FAX (314) 727-2960**  
**mo@mcglynnlaw.com**